

Message Text

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ORIGIN OES-07

INFO OCT-01 ARA-10 ISO-00 SMI-01 ACDA-12 AGRE-00
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00
DLOS-09 DODE-00 DOTE-00 EB-08 EPA-01 SOE-02
DOE-11 FMC-01 TRSE-00 H-01 INR-10 INT-05 IO-13
JUSE-00 L-03 NSAE-00 NSF-01 OMB-01 PA-01 PM-05
SP-02 SS-15 SSO-00 INRE-00 NSCE-00 /127 R

DRAFTED BY OES/OFA/FA:BSHALLMAN:EEB
APPROVED BY OES/OFA/FA:LLSNEAD
OES/OFA:JDNEGROPONTE
ARA:AMB. WEISSMAN
COMM/NOAA-MS. KEITH
ARA/RPP-MR. FINAN (SUBS)

-----031174 250203Z /20

O 250129Z FEB 78
FM SECSTATE WASHDC
TO AMEMBASSY SAN JOSE IMMEDIATE
AMEMBASSY MEXICO IMMEDIATE

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E.O. 11652: N/A

TAGS: EFIS, IATTC

SUBJECT: 1978 CONSERVATION PROGRAM OF THE IATTC

REF: STATE 292193

1. AMBASSADOR WEISSMAN AND DEPUTY ASSISTANT SECRETARY
NEGROPONTE HAVE DISCUSSED SITUATION DESCRIBED REFTTEL
REGARDING FAILURE TO AGREE ON 1978 CONSERVATION PROGRAM, AND
HAVE CONCLUDED THAT FORMAL NOTE SHOULD BE SENT TO GOCR
SETTING FORTH OUR VIEWS AND REQUESTING URGENT GOCR RESPONSE.
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FOLLOWING IS TEXT OF NOTE FOR EMBASSY TRANSMITTAL TO GOCR:

2. BEGIN TEXT - (COMPLIMENTARY OPENING) AND HAS THE
HONOR TO REFER TO RECENT EVENTS ASSOCIATED WITH THE
ATTEMPT TO REACH AGREEMENT ON A 1978 TUNA CONSERVATION PRO-
GRAM UNDER THE INTER-AMERICAN TROPICAL TUNA

(IATTC). THE MINISTRY IS AWARE THAT IT HAS NOT YET BEEN POSSIBLE TO REACH SUCH AGREEMENT BECAUSE COSTA RICA AND THE OTHER MEMBER STATES HAVE NOT BEEN ABLE TO AGREE ON A MANAGEMENT REGIME REGARDING THE SPECIAL CLOSED SEASON ALLOCATIONS.

A PROPOSAL FOR CLOSED SEASON ALLOCATIONS FOR COSTA RICA HAS BEEN ADVANCED WHICH WOULD MAKE THE 6,000 TON CLOSED

SEASON ALLOCATION FOR SMALL BOATS AVAILABLE TO VESSELS OF ANY SIZE. WHEN COMBINED WITH THE OPEN SEASON CATCH, THIS PROPOSAL WOULD, IN THE VIEW OF THE UNITED STATES, PROVIDE COSTA RICAN VESSELS WITH AN OPPORTUNITY TO TAKE AT LEAST 12,000 TONS OF YELLOWFIN TUNA DURING 1978, AN AMOUNT OVER 10 TIMES THE COSTA RICAN CATCH DURING 1977. EVEN WITH THE NEW TUNA VESSELS WHICH WE UNDERSTAND COSTA RICA HAS ACQUIRED IT IS THE CONSIDERED JUDGEMENT OF THE UNITED STATES THAT OUR PROPOSAL WOULD NOT RESTRICT FISHING BY COSTA RICAN VESSELS DURING 1978. FURTHERMORE, THE U.S. PROPOSAL PROVIDES THAT, SHOULD THE AMOUNTS AGREED AS CLOSED SEASON ALLOCATIONS APPEAR INADEQUATE DURING THE COURSE OF THE YEAR, A SPECIAL MEETING WOULD BE HELD TO CONSIDER A SOLUTION TO THIS PROBLEM.

IT IS IMPORTANT TO NOTE THAT, WITH THE EXCEPTION OF COSTA RICA, ALL OTHER IATTC COASTAL COUNTRIES ARE SATISFIED WITH THE PROPOSED 1978 CONSERVATION MEASURES. HOW-LIMITED OFFICIAL USE

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EVER, UNDER THE TERMS OF THE TREATY ESTABLISHING THE INTER-AMERICAN TROPICAL TUNA COMMISSION, AGREEMENT BY ALL MEMBER NATIONS ON ALL FACETS OF THE CONSERVATION AND MANAGEMENT PROGRAM IS REQUIRED IN ORDER TO IMPLEMENT ANY PART OF THE PROGRAM. THUS, WITHOUT UNANIMOUS AGREEMENT THERE WOULD BE NO CONSERVATION CONTROLS ON THE YELLOW TUNA FISHERY DURING 1978. THIS COULD RESULT IN THE OVERFISHING OF THE TUNA STOCKS TO THE DETRIMENT OF ALL NATIONS CONCERNED.

THE MINISTRY IS AWARE THAT NEGOTIATIONS HAVE BEGUN TO CREATE A NEW TREATY TO CONSERVE AND MANAGE TUNA IN THE EASTERN PACIFIC OCEAN. BECAUSE OF THESE ONGOING NEGOTIATIONS, THE UNITED STATES BELIEVES IT IS ESPECIALLY IMPORTANT THAT FLEXIBILITY BE DEMONSTRATED IN ATTEMPTING TO REACH AGREEMENT ON A TRANSITIONAL CONSERVATION PROGRAM FOR 1978, AND IS CONCERNED THAT A RADICAL DEPARTURE IN 1978 FROM THE PAST PATTERNS OF ALLOCATIONS ESTABLISHED PURSUANT TO THE IATTC MIGHT PROVE PREJUDICIAL TO SUCH NEGOTIATIONS.

IT IS NOT THE INTENTION OF THE UNITED STATES TO SUGGEST

THAT FISHING BY COSTA RICAN VESSELS DURING 1978 BE UNDULY RESTRICTED. CONTRARY TO CERTAIN STATEMENTS WHICH HAVE BEEN MADE TO THE EFFECT THAT THE IATTC REGIME HAS BEEN INEQUITABLE, THE RECORD WILL DEMONSTRATE THAT THE ALLOCATIONS AGREED TO UNDER THE IATTC HAVE NEVER BEEN SO LOW AS TO CAUSE ANY RESTRICTIONS ON TUNA FISHING BY ANY COASTAL STATE MEMBER OF THE COMMISSION. WE BELIEVE THIS WOULD CONTINUE TO BE THE CASE IF THE U.S. PROPOSAL FOR

1978 WERE AGREED TO BY COSTA RICA. WITHOUT SUCH AGREEMENT, THE UNITED STATES WOULD NOT UNDER EXISTING LEGISLATION BE ABLE TO PREVENT U.S. VESSELS FROM FISHING WITHOUT RESTRICTION ON A YEAR-ROUND BASIS WITHIN THE 5 MILLION SQUARE MILES OF OCEAN WHICH COMPRISE THE IATTC LIMITED OFFICIAL USE

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CONSERVATION AREA. THE UNITED STATES HAS BEEN RESTRICTING THE TUNA CATCH OF ITS VESSELS IN THIS AREA FOR THE 12 YEARS WHICH THE IATTC REGULATORY PROGRAM HAS BEEN IN EFFECT.

THE SCIENTIFIC STAFF OF THE INTER-AMERICAN TROPICAL TUNA COMMISSION HAS ADVISED ALL OF THE MEMBER GOVERNMENTS THAT AGREEMENT MUST BE REACHED BY THE END OF FEBRUARY OR VERY EARLY IN MARCH IF WE ARE TO CLOSE THE FISHING SEASON IN TIME TO ENSURE THAT THERE WILL BE NO OVERFISHING OF THE YELLOWFIN TUNA IN THE EASTERN PACIFIC OCEAN. THE UNITED STATES THEREFORE URGES COSTA RICA TO CONSIDER FURTHER ITS POSITION AND TO RESPOND AS SOON AS POSSIBLE TO THE PROPOSAL WHICH HAS BEEN MADE FOR THE CONSERVATION AND MANAGEMENT OF TUNA UNDER THE IATTC FOR 1978. (COMPLIMENTARY CLOSE)

3. FOR MEXICO CITY: EMBASSY REQUESTED TO CONVEY ABOVE TEXT TO APPROPRIATE MEXICAN FISHERIES AND FOREIGN OFFICE OFFICIALS WITH SUGGESTION THAT THEY APPROACH COSTA RICANS ON URGENT BASIS USING WHATEVER INFLUENCE THEY MAY HAVE TO URGE EARLY AGREEMENT ON 1978 CONSERVATION MEASURES. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONSERVATION, FISHERIES, PROGRAMS (PROJECTS)
Control Number: n/a
Copy: SINGLE
Draft Date: 25 feb 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE049456
Document Source: CORE
Document Unique ID: 00
Drafter: BSHALLMAN:EEB
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780087-0116
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780212/aaaaajvc.tel
Line Count: 158
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ee92b5cf-c288-dd11-92da-001cc4696bcc
Office: ORIGIN OES
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 292193
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3472847
Secure: OPEN
Status: NATIVE
Subject: 1978 CONSERVATION PROGRAM OF THE IATTC
TAGS: EFIS, IATTC
To: SAN JOSE MEXICO
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/ee92b5cf-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014